PATENT
Docket No. 273402003300
Client Reference 500239

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Tamara Alcaraz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Malcolm Lovell HANDEL et al.

Application No.: To Be Assigned

Filing Date: Herewith

For: TREATMENT OF INFLAMMATORY AND MALIGNANT DISEASES

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

PRELIMINARY AMENDMENT

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to examination of the above-captioned application, please enter the following amendments.

AMENDMENTS

In the Specification:

Please insert the following on page 1, line 2

CROSS REFERENCE TO RELATED APPLICATIONS

This application claims priority to PCT/AU00/00932, filed February 15, 2001, which claims priority to Australian application no. PQ2014, filed August 4, 1999, the contents of which are incorporated herein in their entirety.

In the Claims:

Please amend claims 3, 4, 7, 9 and 10.

Please cancel claims 13, 14, 17 and 18.

Please add new claims 19-24.

3. (Amended) A DNAzyme as claimed in claim 1 in which the catalytic domain has the nucleotide sequence GGCTAGCTACAACGA (SEQ ID NO: 2).

4. (Amended) A DNAzyme as claimed in claim 1 in which the cleavage site corresponds to a site selected from the group consisting of:

(i) the AT site at nucleotides 80-81;

(ii) the GT site at nucleotides 91-92;

(iii) the GT site at nucleotides 140-141;

(iv) the AT site at nucleotides 149-150;

(v) the AT site at nucleotides 215-216;

(vi) the AT site at nucleotides 237-238;

(vii) the AT site at nucleotides 260-261;

(viii) the GT site at nucleotides 350-351;

(ix) the GT site at nucleotides 438-439;

(x) the AT site at nucleotides 479-480;

(xi) the GT site at nucleotides 525-526;

(xii) the GT site at nucleotides 572-572;

(xiii) the AT site at nucleotides 583-584;

(xiv) the GT site at nucleotides 726-727;

(xv) the GT site at nucleotides 734-735;

(xvi) the AT site at nucleotides 749-750;

(xvii) the AT site at nucleotides 807-808;

(xviii) the GT site at nucleotides 830-831;

(xix) the AT site at nucleotides 951-952;

(xx) the GT site at nucleotides 963-964;

(xxi) the AT site at nucleotides 1070-1071;

(xxii) the GT site at nucleotides 1076-1077;

(xxiii) the GT site at nucleotides 1100-1101;

(xxiv) the AT site at nucleotides 1125-1126;

(xxv) the AT site at nucleotides 1175-1176;

(xxvi) the GT site at nucleotides 1235-1236;

(xxvii) the AT site at nucleotides 1279-1280;

(xxviii) the GT site at nucleotides 1307-1308;

(xxix) the GT site at nucleotides 1313-1314;

(xxx) the GT site at nucleotides 1387-1388;

(xxxi) the AT site at nucleotides 1416-1417;

(xxxii) the GT site at nucleotides 1484-1485;

(xxxiii) the GT site at nucleotides 1529-1530;

(xxxiv) the AT site at nucleotides 1553-1554; and

(xxxv) the AT site at nucleotides 1697-1698.

7. (Amended) A DNAzyme as claimed in claim 6 which has the sequence 5' GAGGGGGAAGGCTAGCTACAACGAAGTTCGTCC 3' (SEQ ID NO:4).

9. (Amended) A pharmaceutical composition comprising a DNAzyme according to any one of claims 1-7 and a pharmaceutically acceptable carrier.

10. (Amended) A method of inhibiting NF-κB activity in a cell which method comprises introducing into the cell a DNAzyme of any one of claims 1-7.

19. (New) A pharmaceutical composition comprising a DNAzyme according to claim 8 and a pharmaceutically acceptable carrier.

20. (New) A method of inhibiting NF-κB activity in a cell which method comprises introducing into the cell a DNAzyme of claim 8.

21. (New) A method of inhibiting NF-κB activity in a subject which method comprises administering to the subject a pharmaceutical composition of claim 8.

22. (New) A method of treating an inflammatory disease in a subject which method comprises administering to the subject a therapeutically effective dose of a pharmaceutical composition of claim 8.

23. (New) A method of treating atherosclerosis in a subject which method comprises administering to the subject a therapeutically effective dose of a pharmaceutical composition of claim 8.

24. (New) A method of treating cancer or leukaemia in a subject which comprises administering to the subject a therapeutically effective dose of a pharmaceutical composition of claim 8.

REMARKS

Claims 3, 4, 7, 9 and 10 have been amended. Claims 13, 14, 17 and 18 have been cancelled. Claims 19-24 have been added. The amendments to the claims have been made to remove multiple dependency and reduce filing fees. These amendments are not intended to abandon, disclaim or dedicate any subject matter.

The amendments to the specification has been made to make of record any cross reference. Accordingly, Applicants submit no new matter by these amendments.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**".

In the unlikely event that the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 273402003300. **PLEASE DO NOT CHARGE THE FILING FEES. APPLICANTS WILL PAY FILING FEES WITH RESPONSE TO NOTICE TO FILE MISSING PARTS.**

Respectfully submitted,

Dated: February 4, 2002

By: _____
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Version with markings to show changes made

In the Claims:

Please amend claims 3, 4, 7, 9 and 10.

3. (Amended) A DNAzyme as claimed in claim 1 [or claim 2]in which the catalytic domain has the nucleotide sequence GGCTAGCTACAACGA (SEQ ID NO: 2).

4. (Amended) A DNAzyme as claimed in [any one of claims 1 to 3]claim 1 in which the cleavage site corresponds to a site selected from the group consisting of:

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(ii) the GT site at nucleotides 91-92;

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10. (Amended) A method of inhibiting NF-κB activity in a cell which method comprises introducing into the cell a DNAzyme of any one of claims [1 to 8]1-7.